



POLICE DEPARTMENT

June 16, 2015

MEMORANDUM FOR: Police Commissioner

Re: Police Officer Whittaker Young
Tax Registry No. 932085
1 Precinct
Disciplinary Case No. 2013-11066

Police Officer Kenneth Rosello
Tax Registry No. 942816
1 Precinct
Disciplinary Case No. 2013-11067

The above-named members of the Department appeared before me on February 5, 2015, charged with the following:

Disciplinary Case No. 2013-11066

1. Said Police Officer Whittaker Young, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, engaged in conduct prejudicial to the good order, efficiency or discipline of the New York City Police Department, in that he frisked Jermaine Johnakin, without sufficient legal authority.

P.G. 212-11, Page 1, Paragraph 2 – STOP AND FRISK

2. Said Police Officer Whittaker Young, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, engaged in conduct prejudicial to the good order, efficiency or discipline of the New York City Police Department, in that he searched Jermaine Johnakin, without sufficient legal authority.

P.G. 212-11, Page 1, Paragraph 3 – STOP AND FRISK

3. Said Police Officer Whittaker Young, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, engaged in conduct prejudicial

to the good order, efficiency or discipline of the New York City Police Department, in that he searched the property of Person A, without sufficient legal authority.

P.G. 212-11, Page 1, Paragraph 3 – STOP AND FRISK

4. Said Police Officer Whittaker Young, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, was discourteous to Jermaine Johnakin in that he said in sum and substance to him, NOBODY WANTS YOUR BROKE ASS WALLET and I DON'T GIVE A FUCK IF YOU KNOW JOHNNIE COCHRAN, DON'T TELL ME HOW TO DO MY JOB.

P.G. 203-09, Page 1, Paragraph 2 – PUBLIC CONTACT – GENERAL

5. Said Police Officer Whittaker Young, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that he searched the vehicle of which Jermaine Johnakin and Person A were occupants, without sufficient legal authority.

**P.G. 203-10, Page 1, Paragraph 5 – PUBLIC CONTACT –
PROHIBITED CONDUCT**

Disciplinary Case No. 2013-11067

1. Said Police Officer Kenneth Rosello, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, engaged in conduct prejudicial to the good order, efficiency or discipline of the New York City Police Department, in that he frisked Jermaine Johnakin, without sufficient legal authority.

P.G. 212-11, Page 1, Paragraph 2 – STOP AND FRISK

2. Said Police Officer Kenneth Rosello, while assigned to the 1st Precinct on or about November 14, 2012, at approximately 2115 hours, in the vicinity of Spring Street, between Mercer Street and Broadway, New York County, engaged in conduct prejudicial to the good order, efficiency or discipline of the New York City Police Department, in that he searched Jermaine Johnakin, without sufficient legal authority.

P.G. 212-11, Page 1, Paragraph 3 – STOP AND FRISK

The Civilian Complaint Review Board (CCRB) was represented by Jonathan Fogel, Esq. Respondents were represented by Michael Martinez, Esq.

Respondents, through their counsel, entered pleas of Not Guilty to the subject charges. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review.

DECISION

Disciplinary Case No. 2013-11066

Respondent Young is found Guilty of Specification Nos. 4 and 5. He is found Not Guilty of Specification Nos. 1, 2, and 3.

Disciplinary Case No. 2013-11067

Respondent Rosello is found Guilty of Specification Nos. 1 and 2.

SUMMARY OF EVIDENCE PRESENTED

Introduction

It is not disputed that on November 14, 2012, at about 2100 hours, Respondents were on duty, dressed in plainclothes, assigned to the 1 Precinct, performing anti-crime patrol duties in the Soho area of Manhattan in an unmarked Department vehicle when they spotted a Pontiac sedan which had a defective headlamp and brake light. Jermaine Johnakin was driving the car which was owned by Person A, Johnakin's girlfriend, who was in the front passenger seat. Johnakin parked the car in front of a fire hydrant on Spring Street at Broadway, exited the car carrying a bag containing merchandise and entered a nearby Sephora store (Sephora) on Broadway. Person A remained inside the car.

Respondent Rosello followed Johnakin into Sephora and watched as he engaged in an exchange with a sales associate and another employee. When Johnakin exited Sephora and re-entered the driver's seat of the car, Respondent Rosello followed him out of Sephora and reported to Respondent Young what he had observed Johnakin doing inside Sephora. Respondents decided to perform a car stop by pulling the car over for having a defective headlamp and brake light. Johnakin had driven only a block or two when Respondents, using their lights and siren, pulled the car over on Spring Street between Mercer Street and Broadway. Respondents got out of their car. Respondent Young approached the driver's door of the car and Respondent Rosello approached the front passenger's door.

The CCRB prosecutor called Jermaine Johnakin and Ryan Matzner as witnesses.

Johnakin testified that when he entered Sephora he was carrying a bag containing Sephora skin care products that Person A had purchased and wanted to return. Johnakin testified that although Person A had not provided him with a sales receipt, the Sephora employee at the register accepted the return of the products and handed him a gift card. After their car was pulled over, Respondent Young approached the driver's door and "asked me for my I.D., and then he asked me to step out of the vehicle." Johnakin testified that he stepped out of the car and that Respondent Young "searched" him. He was "patted down" by Respondent Young who also "checked inside my pockets" by putting his hands "inside my coat." Respondent Young told him that he had pulled his car over because he was "doing an investigation for Sephora" and he had "returned items without a receipt," and because his headlight was out which Johnakin knew was true.

Johnakin told Respondent Young that he was employed as "a public safety officer at 34th Street."

Respondent Young brought Johnakin to the rear of the car where he "was searched again by his partner" Respondent Rosello who "patted me down" from his chest to his waist and legs. Respondent Young went to the front passenger's door, pulled Person A out of the car and brought her to the rear of the car. Respondents handcuffed Johnakin and Person A and then placed them into the rear seat of a marked RMP after other officers arrived at the scene.

While Johnakin was sitting in the rear seat of the RMP, he saw Respondent Young "searching" his car by "checking" underneath the driver's seat and the front passenger's seat. One of the officers took them out of the RMP, took off the handcuffs and "let us go." When Johnakin returned to the car, he could not find his wallet inside the car. When he asked Respondent Young where his wallet was, he told him, "No one wants your broke ass wallet. Check under the seat." When Johnakin looked under the seat, he found his wallet there. Respondents and the uniformed officers who had arrived at the scene all re-entered their vehicles and drove off.

Later, Johnakin was approached by a man who identified himself as Ryan Matzner. Matzner handed Johnakin a DVD disc and told him that he had used his iphone to record Johnakin's encounter with the police [CCRB Exhibit (CCRBX) 1].

On cross-examination, Johnakin confirmed that Person A had told him that she had worked for Sephora before they started dating which was about one year before this incident. Johnakin also confirmed that after he picked up Person A he had entered a Sephora store in lower Manhattan near the Century 21 store where Person A worked to

return Sephora items for Person A. The he drove her home. Later that day, he drove her to the Sephora store on Broadway in Soho, where they were stopped by Respondents, because at the Sephora store in lower Manhattan near Century 21 he had failed to return all of Sephora items Person A wanted him to return because he had forgotten them and they had been left at her home.

He agreed that the cashier at the Sephora store on Broadway in Soho had given him a hard time about the return without a receipt, that the cashier had refused to accept the return of a nail clipper asserting that it was not from Sephora, that the cashier got a manager involved, and that he and the cashier had a disagreement when the cashier told him that the gift card he received for the returned items, which was in the amount of \$236.26, could only be used online.

Johnakin confirmed that the cell phone he is observed holding in the video is his, that it was in his hand when he got out of the car and that he had no recollection that either Respondent had removed the cell phone from his pocket. Johnakin confirmed that he was served with two summonses by Respondents but he was not arrested for anything he did inside Sephora.

Ryan Matzner testified that on November 14, 2012, at about 2115 hours he was walking on Spring Street between Broadway and Mercer Street when he saw an unmarked police car pull a car over. Matzner heard "a lot of yelling going on between the driver and the passenger and" two plainclothes officers. Matzner heard the plainclothes officer who was wearing an "Ed Hardy" jacket (Respondent Young) "asking the female passenger to get out of the car," but the female kept asking why they had been

pulled over. The female passenger was taken out of the car and brought to the rear of the car where the driver already was. Matzner took out his iphone and began to record the incident. On cross-examination, Matzner confirmed that he probably heard the driver tell the female passenger not to say anything a few times.

The DVD (CCRBX 1) shows that at the point at which Matzner began to record this incident, Respondents and Johnakin and Person A are all standing at the rear of Person A's car. Johnakin and Person A are heard asking Respondents why their car was stopped and why they have been removed from the car. Johnakin is heard telling Person A, who is yelling to bystanders to help, to "calm down" and "keep quiet." Johnakin is seen holding a cell phone and he is heard asking if can make a call. Respondents then placed handcuffs on Johnakin and Person A. After Respondent Rosello handcuffs Johnakin, he is seen taking his cell phone from him and placing it into Johnakin's right jacket pocket. Respondent Rosello then removes the phone from Johnakin's jacket pocket, looks at it, and then returns it to Johnakin's jacket pocket. Respondents and the handcuffed Johnakin and Person A remain standing at the rear of the car until uniformed officers arrive at the scene at which point Johnakin and Person A are placed into the rear seat of a marked RMP. Respondent Young is seen on the video leaning his body into the front passenger seating areas of the car.

Testimony of Respondents

Respondent Young asserted that as he approached the driver's door of the car he saw Johnakin, who was seated in the driver's seat, "reach low" towards the floor of the car. Based on this "furtive movement," which raised Respondent Young's suspicion that

Johnakin could have been picking up a weapon from the floor, he performed a "quick pat down" of Johnakin "for our safety" as soon as Johnakin exited the driver's seat. This pat down did not reveal any hard object consistent with a weapon.

Respondent Young asserted that based on his experience and training his observation that Johnakin had driven around the block "multiple" times indicated to him that Johnakin was "casing the location." Based on this and his conversation with Respondent Rosello regarding his observations of Johnakin inside the Sephora store, Respondent Young determined that further investigation was warranted. He radioed for back up to respond to the scene. Respondents brought Johnakin and Person A to the rear of the car and placed handcuffs on them. After "backup" arrived at the scene, Johnakin and Person A were put into a marked RMP. Respondent Young then searched the lungeable areas of the floor in the front seating area of Johnakin's car.

He was asked if he had told Johnakin, "Nobody wants your broke ass wallet." He recalled that he had told Johnakin "something to that effect" because Johnakin had accused him of trying to steal his wallet. When Respondent Young was asked if he had told Johnakin, "I don't give a fuck if you know Johnny Cochran, don't tell me how to do my job," he answered that although he could not recall exactly what he had said, he had said "something about Johnny Cochran" and that he had made this comment because Johnny Cochran was a great lawyer and "I didn't care if they had a great lawyer."

On cross examination, Respondent Young agreed that he could not lawfully frisk someone unless he possessed reasonable suspicion that the person had committed a crime or reasonable suspicion that the person posed a safety risk. He agreed that he did not see a weapon inside the car. He confirmed that on the Stop, Question and Frisk Report (UF

250) he prepared he wrote that Johnakin had engaged in furtive behavior indicative of "casing a location." Although Respondent Young agreed that it can sometimes be difficult to find a parking spot in Manhattan, he asserted that Johnakin was "casing" the area looking to commit a crime because "I saw him drive around the block multiple times. Maybe he was looking for parking, maybe he wasn't. That's casing to me."

Respondent Rosello testified that after Johnakin, who he had never seen before that day, parked the car and entered Sephora, he followed Johnakin into Sephora and watched as Johnakin presented merchandise to a cashier that Johnakin was seeking to return. When he exited Sephora, he told Respondent Young that "there was something suspicious about" Johnakin's "interaction with the employees in Sephora. But I wasn't sure anything had happened yet." He and Respondent Young "decide to do a car stop." He recalled that as he approached the front passenger's door, he "saw a lot of movement around between the two of them," and he "saw the driver's head dip a little bit," and he saw that "they were moving back and forth," and "I don't know what they're reaching for," and that they might be "trying to hide something." He saw the driver leaning and the female passenger leaning over. These movements placed him "a little on edge" because car stops are "one of the most dangerous encounters that we do." During the stop, his suspicions were also raised because Johnakin "every so often would scream at" Person A to "shut up."

Respondent Rosello testified that Johnakin and Person A were brought to the rear of the car so that they would be unable to access "anything in the car that was going to be a danger to us like a weapon" and that he then handcuffed Johnakin because he "didn't want to have to be in a position where I could possibly get hit or he could easily run away

so I thought it would be safer to just have him in handcuffs.” When backup arrived, they watched the “potential prisoner” so that he could “conduct our investigation” by re-entering Sephora and speaking to the cashier who had dealt with Johnakin “to see if there was a crime that was committed that I hadn’t observed.” Although the Sephora employee who had dealt with Johnakin told him that the return was “suspicious” and “strange” since Johnakin had no receipt, the Sephora items were accepted for return because it was store policy to accept them.

On cross-examination, Respondent Rosello agreed that when he followed Johnakin into Sephora, he saw the cashier accept the items Johnakin was seeking to return, that he did not speak to any employee inside Sephora until after Johnakin was handcuffed, and that no one at Sephora had alleged that Johnakin had engaged in any fraudulent activity inside the store. Respondent Rosello confirmed that he made no entry in his Activity Log regarding this incident. Respondent Rosello also agreed that the video depicts him at the rear of the car handcuffing Johnakin, frisking Johnakin and placing his hand inside Johnakin’s coat pocket.

FINDINGS AND ANALYSIS

Disciplinary Case No. 2013-11066

Specification Nos. 1 and 2

Respondent Young is charged with having frisked and searched Johnakin without sufficient legal authority to do so. The United States Supreme Court and the New York Court of Appeals¹ have long recognized the inordinate danger a police officer faces as he

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¹ See *Pennsylvania v. Mimms*, 434 US 106 (1977); and *People v. David L.*, 56 NY2d 698 (1982).

or she approaches a person seated in an automobile. As the U.S. Supreme Court has pointed out, the statistics of police homicides indicate that "a significant percentage of murders of police officers occur when the officers are making traffic stops."

Respondent Young testified that he performed a "quick pat down" of Johnakin immediately after he removed Johnakin from the car. Respondent Young's pat down constituted a frisk because Patrol Guide Procedure 212-11 defines "frisk" as "(a) running of the hands over the clothing, feeling for a weapon." This Patrol Guide Procedure further states that "a uniformed member of the service" may lawfully "frisk" a person only "if you reasonably suspect you or others are in danger of physical injury."

Respondent Young asserted that he had frisked Johnakin "for our safety" because while Johnakin was still seated in the driver's seat he saw him engage in a "furtive movement" in that he "reach(ed) low" toward the floor of the car. This assertion was corroborated by Respondent Rosello's testimony that as he approached the front passenger's door, he "saw the driver's head dip a little bit," that "they were moving back and forth," that he saw the driver leaning over, and that it appeared that he might be "reaching for" something.

Based on Respondents' testimony, I find that they had a sufficient basis to reasonably suspect that Johnakin could have been picking up a weapon from the floor or underneath the driver's seat and that they could be in danger of physical injury. Therefore, Respondent Young is found Not Guilty of Specification No. 1.

Respondent Young is charged in Specification No. 2 with searching Johnakin without sufficient legal authority. Johnakin testified that during the frisk Respondent Young "checked inside my pockets." Respondent Young did not recall doing that. Since

the video recorded by Matzner (CCRBX 1) does not depict Respondent Young searching Johnakin, his allegation that Respondent Young's lawful frisk escalated into an unlawful search is unsupported. In the absence of evidence to support Johnakin's allegation, Respondent Young is found Not Guilty of Specification No. 2.

Disciplinary Case No. 2013-11066

Specification No. 5

Disciplinary Case No. 2013-11067

Specification Nos. 1 and 2

Respondent Young is charged with having searched the car without sufficient legal authority to do so. Respondent Rosello is charged with having frisked and searched Johnakin without sufficient legal authority to do so.

I find both Respondents guilty based on the video recorded by Matzner (CCRBX 1) and their own testimony. The video depicts Respondent Rosello handcuffing Johnakin and then frisking Johnakin and placing his hand inside Johnakin's coat pocket. The video also depicts Respondent Young searching the front passenger area of Person A's car. Since Respondent Young's frisk of Johnakin immediately after he removed Johnakin from the car produced negative results, Respondents possessed no information to form a reasonable suspicion that Johnakin possessed any weapon on his person that would justify Respondent Rosello's subsequent frisk of Johnakin or his action of searching Johnakin's pocket. Also, because Johnakin was already handcuffed at that point, Respondent Rosello had no reason to suspect that they were in any danger of being physically attacked by him.

Thus, the only possible justification for the frisk and search of Johnakin that was conducted by Respondent Rosello, and the only possible justification for the search of the front passenger area of Person A's car that was conducted by Respondent Young, would be that Respondents possessed sufficient information to form a reasonable belief that Johnakin had committed a crime. Their own testimony establishes that they did not possess such information.

Respondent Rosello testified that based on his observation of Johnakin's merchandise exchange inside Sephora, although he thought "there was something suspicious about" it, he "wasn't sure anything had happened yet." Thus, even though Respondent Rosello admittedly did not see Johnakin engage in criminal activity inside Sephora, he handcuffed, frisked and searched Johnakin before he re-entered Sephora and spoke to the cashier "to see if there was a crime that was committed that I hadn't observed." The fact that Respondent Rosello made no entry in his Activity Log regarding this incident leads to the suspicion that Respondent Rosello knew his actions of handcuffing, frisking and searching Johnakin were improper.

As to Respondent Young, although he wrote on the Stop, Question and Frisk Report he prepared regarding Johnakin that he had appeared to be "casing a location," Respondent Young conceded that his conclusion that that Johnakin was "casing" the area looking to commit a crime was based solely on the fact that Johnakin had driven around the block a few times. Respondent Young's testimony that, "Maybe he was looking for parking, maybe he wasn't. That's casing to me," is not convincing.

In short, based on Respondent Young's testimony regarding his observations of Johnakin outside the Sephora store and based on Respondent Rosello's testimony

regarding his observations of Johnakin inside the Sephora store, after Respondents stopped the car for having defective headlamp and for parking in front of a fire hydrant, they had insufficient information to do anything more than question Johnakin about his transaction inside the Sephora store and issue summonses for the defective headlamp and for parking in front of a fire hydrant.

Based on the above analysis, Respondents are found Guilty.

Disciplinary Case No. 2013-11066

Specification No. 3

This Specification charges Respondent Young with having searched Person A's purse without having sufficient legal authority to do so. Respondent Young asserted that the only reason he had looked into Person A's purse was because he needed to see her ID to obtain her pedigree information to prepare his UF 250 and she told him that her ID was inside her purse. Since Person A did not testify at this trial, the CCRB prosecutor was not able to refute Respondent Young's contention that he had a valid reason to look into Person A's purse. Thus, Respondent Young is found Not Guilty of Specification No. 3.

Disciplinary Case No. 2013-11066

Specification No. 4

This Specification charges Respondent Young with having been discourteous to Johnakin. Johnakin testified that when he asked where his wallet was, Respondent Young told him, "Nobody wants your broke ass wallet." When Respondent Young was asked if he had told Johnakin, "Nobody wants your broke ass wallet," Respondent Young admitted that after Johnakin accused him of trying to steal his wallet, he told Johnakin

"something to that effect." In addition, when Respondent Young was asked if he had told Johnakin "I don't give a fuck if you know Johnny Cochran, don't tell me how to do my job," Respondent Young acknowledged that he had told Johnakin "something about Johnny Cochran" and that he had referred to Cochran because he was a great lawyer and "I didn't care if they had a great lawyer."

I find that Respondent Young in essence admitted that he had made the two remarks he is accused of making, although he did not admit that he had directed profanity at Johnakin. Since these comments were completely unnecessary and had no legitimate law enforcement purpose, they were purely gratuitous and, with or without profanity, were therefore discourteous comments. Respondent Young is found Guilty of Specification No. 4.

PENALTY

In order to determine an appropriate penalty, Respondents' service records were examined. See *Matter of Pell v. Board of Education*, 34 NY 2d 222 (1974). Respondent Young was appointed to the Department on July 22, 2002. Respondent Rosello was appointed to the Department on July 20, 2006. Information from their personnel records that was considered in making these penalty recommendations is contained in attached confidential memoranda.

Respondent Rosello has been found guilty of frisking and searching Johnakin without sufficient legal authority. The CCRB prosecutor recommended that Respondent Rosello forfeit seven vacation days as a penalty. However, in a recent decision, *Case No.*

2013-9623 (Mar. 4, 2015), a nine-year police officer received a penalty of a reprimand for committing identical misconduct.

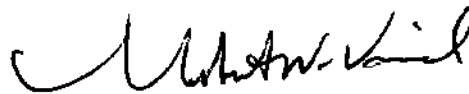
In determining a penalty recommendation regarding Respondent Rosello, I have taken into consideration his consistently good performance evaluations and the fact that he has no previous disciplinary adjudications.

Respondent Young has been found Guilty of being discourteous to Johnakin and searching the vehicle without sufficient legal authority. The CCRB prosecutor recommended that Respondent Young forfeit ten vacation days. In *Case No. 2013-9823* (May 7, 2014), a 13-year police officer who had no prior disciplinary record received instructions on courtesy, professionalism and respect after the officer pleaded guilty to having searched a vehicle without sufficient legal authority and having spoken discourteously to the driver. In *Case No. 2013-10071* (Feb. 19, 2015), a 13-year police officer who had no prior disciplinary record forfeited five vacation days for searching a vehicle without sufficient legal authority. In *Case No. 2013-10147* (Apr. 7, 2015), an 11-year police officer with no prior disciplinary record forfeited three vacation days for searching a vehicle without sufficient legal authority.

In formulating a penalty recommendation regarding Respondent Young, I have taken into consideration his consistently good performance evaluations, his Department Recognition Summary, and the fact that although he has two previous disciplinary adjudications, both of these adjudications involved off-duty incidents. Thus, the instant case constitutes his first disciplinary adjudication for on-duty misconduct during his nearly 13-year career.

Based on the foregoing, it is recommended that Respondent Rosello receive a reprimand and that Respondent Young forfeit five vacation days.

Respectfully submitted,



Robert W. Vinal
Assistant Deputy Commissioner – Trials

APPROVED

SEP 02 2015

WILLIAM J. BRATTON
POLICE COMMISSIONER

POLICE DEPARTMENT
CITY OF NEW YORK

From: Assistant Deputy Commissioner - Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER WHITTAKER YOUNG
TAX REGISTRY NO. 932085
DISCIPLINARY CASE NOS. 2013-11066

The Respondent received an overall rating of 4.5 on his 2014 performance evaluation, 4.0 on his 2013 evaluation, and 4.5 on his 2012 evaluation.

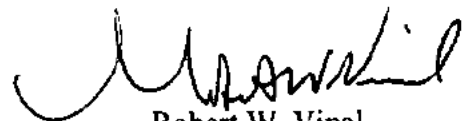
He has been awarded one Meritorious Police Duty medal and 14 Excellent Police Duty medals. [REDACTED]

He has a prior formal disciplinary record. In 2006, he forfeited 20 days (including 17 days served on suspension) after he pleaded guilty to causing a physical injury to a person during an off-duty incident and failing to remain at the scene of the incident.

In 2012, he forfeited 25 vacation days after he pleaded guilty to failing to safeguard his firearm and his shield on January 24, 2009, in that he left them under a mattress at the home of a friend.

On June 8, 2007, he was placed in Level 2 Monitoring which ended on December 8, 2008.

For your consideration.



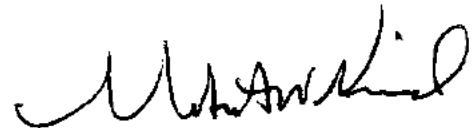
Robert W. Vinal
Assistant Deputy Commissioner - Trials

POLICE DEPARTMENT
CITY OF NEW YORK

From: Assistant Deputy Commissioner - Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER KENNETH ROSELLO
TAX REGISTRY NO. 942816
DISCIPLINARY CASE NOS. 2013-11067

The Respondent received an overall rating of 4.5 on his 2014 performance evaluation, 4.5 on his 2013 evaluation, and 4.0 on his 2012 evaluation. He has been awarded one Excellent Police Duty medal. [REDACTED]
He has no prior formal disciplinary record and no monitoring records.

For your consideration.



Robert W. Vinal
Assistant Deputy Commissioner - Trials